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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Issy Kipnis

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9836

8791

7590

09/13/2006

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EXAMINER

MANDALA, VICTOR A

ART UNIT

PAPER NUMBER

2826

DATE MAILED: 09/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of election of species in the reply filed on 6/15/06 is acknowledged. The examiner has considered the arguments and retracts the restriction filed on 3/13/06.

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. A. Claims 1-11 are drawn to an interconnect apparatus,
- B. Claims 19-24 are drawn to an integrated circuit
- C. Claims 29-35 are drawn to an electronic system, classified in class 257, subclass 723.
- II. Claims 12-18 are drawn to a method, classified in class 438, subclass 107.
- IV. Claims 25-28 are drawn to a method for utilizing a semiconductor processing equipment, classified in class 438, subclass 381.

1. Inventions IA and II are directed to an unrelated product and process. Product and process inventions are unrelated if it can be shown that the product cannot be used in, or made by, the process. See MPEP § 802.01 and § 806.06. In the instant case, In the instant case the device is made with the circuit elements made by the same processing as the contact pads and the interconnections, but the method makes the interconnections and the circuit elements by a different process resulting in two different precision levels.

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2. Inventions IB and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make another and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). Inventions III and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make another and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the method makes a device with passive circuit elements, but a different process that does not have or make passive circuit elements could make the device.

3. Inventions IC and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make another and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). Inventions III and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make another and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In this case the claimed method makes a MEMS device, but the same method can be used to make an LCD.

4. Inventions IA and IV are related as apparatus and product made. The inventions in this relationship are distinct if either or both of the following can be shown: (1) that the apparatus as claimed is not an obvious apparatus for making the product and the apparatus can be used for

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making a materially different product or (2) that the product as claimed can be made by another and materially different apparatus (MPEP § 806.05(g)). In this case the claimed processing equipment makes a MEMS device, but the same processing equipment can be used to make an LCD.

5. Inventions II and IV are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another and materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case a process makes a device integrating on the interconnections of the silicon backplane an integrated circuit (IC) produced of a separate silicon substrate with a second precision level of processing, the IC to interconnect with the passive circuit elements, the second precision level being more precise than the first precision level, but the apparatus could make the device having the first and second precision levels being the same.

6. Inventions IB and IV are related as apparatus and product made. The inventions in this relationship are distinct if either or both of the following can be shown: (1) that the apparatus as claimed is not an obvious apparatus for making the product and the apparatus can be used for making a materially different product or (2) that the product as claimed can be made by another and materially different apparatus (MPEP § 806.05(g)). In this case the claimed processing equipment makes a MEMS device, but the same processing equipment can be used to make an LCD.

7. Inventions IC and IV are related as apparatus and product made. The inventions in this relationship are distinct if either or both of the following can be shown: (1) that the apparatus as

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claimed is not an obvious apparatus for making the product and the apparatus can be used for making a materially different product or (2) that the product as claimed can be made by another and materially different apparatus (MPEP § 806.05(g)). In this case the MEMS device is made by the claimed processing equipment has a smaller minimum feature size than the technology of the processing equipment, but the device as claimed could have all features that are at the minimum feature size of the technology of the processing equipment.

8. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.

9. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

10. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art due to their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor A. Mandala Jr. whose telephone number is (571) 272-1918. The examiner can normally be reached on Monday through Thursday from 8am till 6pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

VAMJ

9/4/06


EVAN PERT
PRIMARY EXAMINER